SINGLE BENCH

(1) C.F-100/- (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. (S) No. 7377 / 2006

PETITIONER : Tukeshwar Prasad Sher, S/o. Shri Biloo Ram Sher, aged about 37 years, Assistant Teacher, Govt. Primary School – Tumbahara, Block – Nagri, Distt.– Dhamtari (C.G.)

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VERSUS

RESPONDENTS :

1. State of Chhattisgarh & Others Through- The Secretary, Department of Tribal Welfare, D.K.S. Bhawan, Raipur (C.G.)
2. Commissioner, Tribal Welfare Chhattisgarh Govt. Raipur
3. Assistant Commissioner, Tribal Welfare, Distt. – Dhamtari (C.G.)

P.R. No. 7507/06
Presented by Shri A.S. Rajput
dated 19/12/06

APARNA MALVIYA CG-5023/06 18/12/06

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLE WRIT, WRITS, DIRECTION ETC TO DO JUSTICE IN THE MATTER.

(56)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO. 7377 OF 2006

Petitioner : Tukeshwar Prasad Sher

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO. 7378 OF 2006

Petitioner : Pramod Kumar Tiwari

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO. 7379 OF 2006

Petitioner : Sahdev Ram Dhruw

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO. 7383 OF 2006

Petitioner : Smt. Rutbara

versus

Respondents : State of Chhattisgarh and others

And

WRIT PETITION (S.) NO.7391 OF 2006

Petitioner : Ankalu Ram Sonpipare

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Anil Singh Rajput, Advocate for the petitioner(s).
Mr. Sumesh Bajaj, Government Advocate for the State/respondents.

ORDER

(Passed on 5th Day of January, 2007)

Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present batch of writ petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1] .

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** vs. ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (*Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another*) (Supra).

3. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar*

Bharadwaj (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I./D.Ed. Certificates at their own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K.Agnihotri
Judge

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1 2006 (II) MPJR-CG 96

Subhash